

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

v.

20-CR-0278 (ARR)

Destin Burks

Defendant.

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DECLARATION OF PUBLICATION

According to my review of the electronic database maintained by the Department of Justice, Notice of Criminal Forfeiture was posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on March 8, 2022 and ending on April 6, 2022 as required by 21 U.S.C. § 853(n)(1), and evidenced by Attachment 1.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 18th, 2022.

Samuel Williams

Samuel Williams
WITS Records Examiner



Advertisement Certification Report

The Notice of Publication was available on the www.forfeiture.gov web site for at least 18 hours per day between March 8, 2022 and April 06, 2022. Below is a summary report that identifies the uptime for each day within the publication period and reports the results of the web monitoring system's daily check that verifies that the advertisement was available each day.

U.S. v. Destin Burks

Court Case No: CR-20-0278
For Asset ID(s): See Attached Advertisement Copy

Consecutive Calendar Day Count	Date Advertisement Appeared on the Web Site	Total Hours Web Site was Available during Calendar Day	Verification that Advertisement existed on Web Site
1	03/08/2022	23.8	Verified
2	03/09/2022	23.9	Verified
3	03/10/2022	23.9	Verified
4	03/11/2022	23.9	Verified
5	03/12/2022	23.9	Verified
6	03/13/2022	23.9	Verified
7	03/14/2022	23.9	Verified
8	03/15/2022	23.9	Verified
9	03/16/2022	23.9	Verified
10	03/17/2022	23.9	Verified
11	03/18/2022	23.9	Verified
12	03/19/2022	23.9	Verified
13	03/20/2022	23.9	Verified
14	03/21/2022	23.8	Verified
15	03/22/2022	23.9	Verified
16	03/23/2022	23.8	Verified
17	03/24/2022	23.9	Verified
18	03/25/2022	23.8	Verified
19	03/26/2022	23.9	Verified
20	03/27/2022	23.9	Verified
21	03/28/2022	23.9	Verified
22	03/29/2022	23.9	Verified
23	03/30/2022	23.9	Verified
24	03/31/2022	23.8	Verified
25	04/01/2022	23.9	Verified
26	04/02/2022	23.9	Verified
27	04/03/2022	23.9	Verified
28	04/04/2022	23.9	Verified
29	04/05/2022	23.9	Verified
30	04/06/2022	23.9	Verified

Additional log information is available and kept in the archives for 15 years after the asset has been disposed.

Attachment 1

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK
COURT CASE NUMBER: CR-20-0278; NOTICE OF FORFEITURE**

Notice is hereby given that on January 12, 2022, in the case of U.S. v. Destin Burks, Court Case Number CR-20-0278, the United States District Court for the Eastern District of New York entered an Order condemning and forfeiting the following property to the United States of America:

All right, title, and interest in .40 caliber Smith and Wesson ammunition manufactured by CCI/Speer (20-FBI-008062), which was seized from the defendant on or about July 15, 2020 in Staten Island, New York.

The United States hereby gives notice of its intent to dispose of the forfeited property in such manner as the United States Attorney General may direct. Any person, other than the defendant(s) in this case, claiming interest in the forfeited property must file an ancillary petition within 60 days of the first date of publication (March 08, 2022) of this Notice on this official government internet web site, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure and 21 U.S.C. § 853(n)(1). The ancillary petition must be filed with the Clerk of the Court, 225 Cadman Plaza East, Brooklyn, NY 11201, and a copy served upon Assistant United States Attorney Tanisha Payne, 271 Cadman Plaza East, 7th Floor, Brooklyn, NY 11201. The ancillary petition shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title and interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to 21 U.S.C. § 853(n).

Following the Court's disposition of all ancillary petitions filed, or if no such petitions are filed, following the expiration of the period specified above for the filing of such ancillary petitions, the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee.

The government may also consider granting petitions for remission or mitigation, which pardon all or part of the property from the forfeiture. A petition must include a description of your interest in the property supported by documentation; include any facts you believe justify the return of the property; and be signed under oath, subject to the penalty of perjury, or meet the requirements of an unsworn statement under penalty of perjury. See 28 U.S.C. Section 1746. For the regulations pertaining to remission or mitigation of the forfeiture, see 28 C.F.R. Sections 9.1 - 9.9. The criteria for remission of the forfeiture are found at 28 C.F.R. Section 9.5(a). The criteria for mitigation of the forfeiture are found at 28 C.F.R. Section 9.5(b). The petition for remission need not be made in any particular form and may be filed online or in writing. You should file a petition for remission not later than 11:59 PM EST 30 days after the date of final publication of this notice. See 28 C.F.R. Section 9.3(a). The <https://www.forfeiture.gov/FilingPetition.htm>

website provides access to a standard petition for remission form that may be mailed and the link to file a petition for remission online. If you cannot find the desired assets online, you must file your petition for remission in writing by sending it to Assistant United States Attorney Tanisha Payne, 271 Cadman Plaza East, 7th Floor, Brooklyn, NY 11201. This website provides answers to frequently asked questions (FAQs) about filing a petition for remission. You may file both an ancillary petition with the court and a petition for remission or mitigation.